

Appl. No. 10/825,864
Preliminary Amendment faxed December 20, 2004
Preliminary Amendment

PATENT

REMARKS

In response to the Notice to File Missing Parts of Nonprovisional Application, Applicants request that the following remarks and amendments be entered prior to examination of the present application:

Amendments to the Specification

Applicants respectfully request that the Specification be amended to include the cross-reference paragraph presented above.

Petition Under 37 CFR §1.53(e) Regarding Allegedly Omitted Items

According to the Notice to File Missing Parts of Nonprovisional Application, **Figures 17A, 17B, and 17C** were omitted from the application. Applicants assert that these items were in fact deposited in the U.S. Patent and Trademark Office with the nonprovisional application papers. Applicants hereby petition under 37 CFR 1.53(e) for reconsideration, and authorize the petition fee 37 CFR 1.17(h) to be deducted from deposit account number 20-1430. Applicants understand that the petition fee will be refunded if it is determined that the items were in fact received by the USPTO.

Evidence establishing that **Figures 17A, 17B, and 17C** were in fact deposited in the U.S. Patent and Trademark Office with the nonprovisional application papers is as follows.

Copy of postcard receipt as stamped with the mail room date from the U.S. Patent and Trademark Office, containing specific itemization of all the items submitted upon filing. The postcard specifically itemizes 26 pages of drawings. Figures 17A, 17B, and 17C were included on Sheet 20 of these drawings.

For convenient reference a copy of originally filed drawing **Sheet 20**, containing **Figures 17A, 17B, and 17C** is also enclosed herewith.

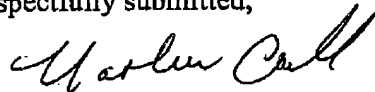
CONCLUSION

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

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Respectfully submitted,



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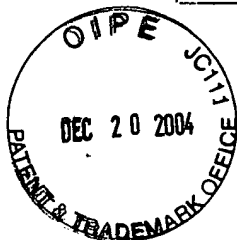
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NEW UTILITY PATENT APPLICATION

NEW UTILITY PATENT APPLICATION

Date Mailed: April 16, 2004	Filing Date: (04/16/04)
Application No.: UNASSIGNED	Docket No.: 018158-023010US
Inventor(s): DAI et al.	Examiner: UNASSIGNED
For: SYSTEMS AND METHODS FOR CORRECTING HIGH ORDER ABERRATIONS IN LASER REFRACTIVE SURGERY	
Group Art Unit: UNASSIGNED	Atty: NSC/jmr

TO THE U.S. PATENT AND TRADEMARK OFFICE: Please stamp the date of receipt of the following documents(s), and return this card to us.

Documents:

1. New Utility Patent Application Transmittal (1 page);
2. Application Data Sheet (2 pages);
3. Specification, Claims & Abstract (5 pages); and
4. Drawings (26 pages).

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